

## Castroville UDO Comments

### Chapter 2 – Development Process

#### Table 2.1.A –

- Is there a fee for the pre-application meeting? Some cities charge for preliminary planning meetings but also have them as optional. That helps sort out the guys just kicking the tires for the sake of city staff time.

#### 2.2.3 – The Design Charrette

- This process should be held as optional or for cases where the developer is asking to work around specific requirements in code. This could be an optional tool for the development agreement process, but I don't anticipate many developers volunteering to go through it.
- Who pays for the "hired consultant", how much does it cost?
- I believe we need a code that stands by itself and does not rely on mandatory design workshops or has development viability at the risk of boards/commissioners/council members. If the developer wants to request special exceptions to the code, then the city has leverage to ask for elements above and beyond standard development.

#### 2.2.7 – Neighborhood Plan

- Recommend removing this whole process or only requiring it if a developer requests a development agreement for special exceptions from code.
- Remove design charettes with outside consultants. City staff in combination with well written code should be all that is needed. – Update: I believe this will be changed to optional.
- If we keep a form of this process to work through initial subdivision (and commercial) developments, I recommend something like the Site Plan process that the City of Schertz has, which is an administratively approved plan which has all development requirements detailed in code. This would remove the public approval process for something that should already comply with code.

#### 2.2.18 – Neighborhood Plan

- How is this different than 2.2.7 – Neighborhood Plan? Seems very confusing. Recommend only listing and describing it once (if it remains).
- Same comments as 2.2.7

#### 2.2.19 – Infill Neighborhood Plan

- Seems like another duplicate (ref 2.2.8) but title doesn't reference "rezoning required". Recommend removing duplicated descriptions.

#### 2.2.20 – Preliminary Plat

- Recommend stating that pre-application meetings with the City are only required if the project has not already had one. I don't see the benefit of having multiple pre-application meetings which coincide with every step towards development as they work through the process.

- Recommend having the preliminary plat run through multiple reviews (as necessary) to obtain staff approval prior to bringing the Preliminary Plat before P&Z. Bringing a document before P&Z that has had one review, and a list of deficiencies leaves too much up for debate and opinions by the board. It would be much better to have the document thoroughly reviewed and presented with a recommendation for approval without special conditions to warrant approval by P&Z.
- With the process revised to obtain staff recommendation for approval first, we should not need step (8) and avoid a preliminary plat possibly having to come to P&Z multiple times.

#### 2.2.21 – Subdivision Improvement Plans

- Applicability - Recommend clarifying text so that it's not interpreted that an individual homeowner must go through this process for something as simple as adding private sidewalk on their property. I believe this should only apply to proposed public improvements.
- (4) - I don't believe P&Z needs to review/approve public improvement plans. These should comply with design standards set in code and be administratively approved by the City prior to the start of construction. Design standards, engineering review, and construction inspections should be how the city is delivered a quality public improvement that they can take ownership and maintenance of.
- I recommend mentioning that private subdivisions should be held to public improvement standards and the same review process to protect the city from any cases where they may need to take over maintenance.
- (12)(c) – Recommend the city filing records of inspections and owner provided construction materials testing instead of requesting an affidavit.
- (12)(d) – The language on this letter would need to have some flexibility since the design engineer is not personally in the field conducting inspections and monitoring how the improvements are constructed. I can see this letter being beneficial for the city if it is a gated private subdivision, but the city should be conducting inspections during construction on public improvements that they will eventually accept and maintain. Recommend removing this letter requirement since engineering plans are already signed/sealed and the engineer is not an integral part of construction inspections.

#### 2.2.22 – Final Plat

- Recommend removing the requirement for a pre-application meeting if one has already occurred.
- Like the preliminary plat, I think we should have the review process occur between the city and applicant before the document comes to P&Z. That way staff can say the plat complies with the current code/requirements and it's an automatic approval for P&Z.
- (10) – Recommend the city work with legal counsel to develop a standard bond format to help aid developer submittals and ensure the city that they obtain a bond that they can collect on, if ever needed.

#### 2.2.23 – Minor Plat & 2.2.24 – Amending Plat & 2.2.25 - Replat

- Same comments on pre-application meeting if it previously occurred, and review process. Bring it to P&Z with staff recommendation for approval.

## 2.2.32 – Site Development Plan

- What type or size of development does this apply to? I would assume commercial and not private residence. Recommend adding clarification.
- If this is intended for commercial site work, recommend having it as an optional segmentation of a building permit, but not a requirement ahead of every building permit, also recommend allowing building permit review to run concurrent with a permit for the site improvements. A linear approach like this will drag out the time required to get a permit.
- As on other permits, recommend only requiring a pre-application meeting if one has not occurred earlier in the development process of the site.

## 2.3.2.2 – Planning & Zoning Commission (Authority)

- These items listed for final decision-making authority do not match the table on the previous two pages. For example, plats (table reflects recommendation to council), 2.3.2.2 reflects final decision making.

## 3.5.2 – Exceptions from Required Plat

- Recommend allowing commercial building permits to be released ahead of plat recordation but hold Certificate of Occupancy until plat is recorded. This will help the larger commercial sites as well as neighborhood model homes that need to be constructed as soon as possible.

## 3.6.1 - Development Patterns

- When looking at this development approach in the ETJ, I am concerned that the existing land ownership divisions, existing topography, and existing infrastructure already come together to paint the suitability for certain types of development throughout the ETJ. If we take the approach of forcing land use that isn't viable, I anticipate that most of today's developers will either drop the project or opt out of the ETJ. This will leave Castroville with little to no growth. Losing out on commercial taxes along Hwy 90 would be bad for the city's financial future. I would rather have a city that can afford to maintain itself and benefit its citizens than be able to walk to a commercial lot that never develops because the market doesn't support it. We should protect/enhance the walkability in the existing "horseshoe" but encourage sensible market-supported development in the ETJ. That approach would require a re-write of this chapter.

## 3.6.1.1 – Description

- "Alternative Development Patterns may be requested by Warrant from the DRC." – recommend expanding on this. Does this statement mean that a developer that is specialized in one type of development (high end residential homes for example), can proceed with a traditional residential only layout with permission from city staff (DRC)? What if there are mixed opinions on the DRC? Who makes the final call or does the developer have to get a majority vote? How does that process work? I have a feeling that most of the projects that developers want to bring to Castroville will fit this scenario, so that's why I recommend more clarification.

## 3.6.1.2 - Intent

- “(3) Development Patterns” – Table 3.6.1(A) lists 4 development patterns

#### 3.6.1.3 – Neighborhood Plan Place Type Zoning Allocation per Development Pattern

- 3.6.1.1 allows for alternative development patterns for sites less than a pedestrian shed. Should 3.6.1.3 also include this approach for these larger developments (if approved by DRC)?
- Recommend allowing developments to include existing surrounding development when analyzing the development patterns and establishing proposed pedestrian sheds.

#### Table 3.6.1(A) –

- Are the non-range percentages max or min? Recommend clarification. I doubt developments will be able to hit a percentage exactly.

#### Figure 3.6.1(B)

- This is an example from Taylor, Texas, not Castroville. It is just an example, but it also does not illustrate Employment Center as a development pattern. Recommend removing Taylor, Texas reference and either labeling it as just an example or creating a different example specific to Castroville with all development patterns.

#### 3.6.4 – In-City Neighborhood and Employment Center Plans

- Recommend removing design consultation or charrette as may be required. Set it up as optional at most. This development code should be clear enough to stand on its own with city staff review.

#### 3.6.4.5 – Site Development Plans and Building Permit

- Recommend allowing new commercial and model homes to obtain a building permit to start construction as early as possible but hold the Certificate of Occupancy until plat recordation.

#### 3.7.1 – Applicability

- (2), (3), and (4) – how can a new lot have frontage to “Civic Space” and have guaranteed ingress/egress, vehicular access, and adequate fire protection? Recommend removing Civic Space as an acceptable means to avoid a lot being land locked.

#### 3.8.1 – Streets, Paths, Trails, and Alleys

- *“The applicant shall be responsible for the construction of the adjacent half of all perimeter streets surrounding the subdivision that are not improved to city standards.”* – I think we need to pull back on this requirement. It is typical for new developments to be required to construct or repair pedestrian facilities along the frontage to public streets as identified through the Traffic Impact Analysis process. (Where are TIA requirements outlined in this code?) This requirement could quickly be un-proportional to the development if they must rebuild streets/drainage/utilities around the entire project without warrant.

#### 3.8.1.3 – Street Arrangement

- “... provision shall be made for the extension of streets through any new neighborhood.”  
– Does this include commercial land use? In some cases, projecting a street through an undeveloped tract could kill where a large building footprint would need to go. Recommend encouraging it, but giving city staff the ability to grant exceptions instead of City Council.

#### 3.8.1.4 – Intersection

- (2) – recommend clarifying that the 25’ radius is for the ROW corner and not a requirement of the street centerline.

#### 3.8.1.5 – Partial or Half-Streets

- Recommend removing this section. The major thoroughfare plan should dictate where new streets will be required with development. If I’m reading this correctly, this gives the City Council the right to mandate a portion of a street (and associated costs) at any time during the development process. When MTP’s are in play and they ride the property line of two undeveloped tracts, it is typical to see the first development dedicate their portion of the full ROW that falls on their land and build the width of road that is needed to support their traffic until the other property develops. Sometimes, only ROW dedication is required.

#### 3.8.1.6 – Street Names

- Street names are reviewed/approved by the US Postal Service for the impact of mail delivery and when emergency services agencies (Police/Fire/EMS) respond to a 911 call. Recommend keeping it that way and not adding a layer of city review for new street names.

#### 3.8.1.11 – Street Types

- Street types need to support traffic needs. Street classification should increase with traffic trips. Although it may sometimes parallel zoning, the street classification should not be mandated by place type zoning. New developments should prepare a traffic impact analysis and identify the classification of streets needed to support development. This should also blend with the major thoroughfare plan to expand the network of those main roadways.
- (1) – streets do not drain by percolation. Recommend correcting that statement.

#### 3.8.1.12 – Paths and Trails

- (1) Path - *“Paths may be considered legal frontage for the purpose of lot configuration.”*  
– Recommend removing this statement. Flag lots (15’ min frontage) can achieve similar lot configurations, but each lot needs drivable access from public ROW.
- (1) Path – recommend clarifying that bicycles are also allowed on paths. There is no way to effectively police that.
- (1) Path – what type of surfaces are allowed? Does it need to be ADA compliant?
- (2) Trail – Recommend showing location of trails on public improvement construction plans only. The plat is a legal document describing the dedication and subdivision of land. It should not be cluttered with additional items depicting surface improvements.

- (2) Trail (3) – What is the trips plan? Recommend having the neighborhood plan establish a general route and design pallet but push detailed construction/landscape plans to the public improvement plan stage of the project.
- (2) Trail (5) – what section is dedicated to “Engineering Standards”? Recommend a specific chapter/section reference to point the reader to said standards.
- (2) Trail (6) – If this is a public improvement within city dedicated land, then the city should be responsible for routine maintenance. If a trail is on a greenspace lot which is owned by a subdivision HOA, then the routine maintenance should fall on that HOA. Recommend establishing HOA maintenance through a formal maintenance agreement document signed by the developer during the platting process. Plat notes can describe the overlay easements/purpose of the 900-series open space lot. Recommend removing the methods to which maintenance is achieved and clarifying responsible parties.

#### 3.8.1.15 – Sidewalks

- *“The applicant is responsible for noting the location of sidewalks on the plat.”* – Recommend removing this statement. Plats should not be used to illustrate surface improvements. The plat documents quickly become complicated and overly busy just with legal descriptions, easements, setbacks, and notes. Surface improvements like sidewalks should be shown on construction plans and reviewed as part of a public improvement plan or with the private plans under building permit review.

#### 3.8.1.16 – Street, Path, and Trail Standards

- Recommend setting Average Daily Traffic numbers for street sections to help trigger larger streets where capacity is needed.

#### 3.8.1.17 – Street Design

- Need to clarify what the developer is responsible for on perimeter streets contiguous to the subdivision. Recommend the Traffic Impact Analysis process be utilized to identify and delineate any off-site improvements needed to support the development. A development should not have to build improvements off-site just by default. It should be proportional to what is proposed.

#### 3.8.1 (D). - Required Street Improvements

- Recommend increasing minimum pavement width on Castro Street to 30’ to allow room for parking on both sides. Increase minimum ROW as well.
- Sidewalk withs are way too wide. Recommend following AASHTO guidelines for sidewalks and share use paths.
- Is sidewalk optional on the Castro Street? If so, no developer will agree to add the cost of 11.5’ of sidewalk. Recommend reducing that minimum down to 4’ wide.

#### 3.8.1.19 – Street Geometry Standards

- (1) - Recommend combining street tables into one all-inclusive table for easier reference.
- (1) - Recommend increasing max slope of smaller streets to 10% to allow subdivisions to work easier with natural topography in hilly areas.

- (2), (3), (4) – Recommend removing – no need to address specific variance options to engineering standards of streets. I also don't see a need for one variance to only go to P&Z and another to go to City Council. Regardless of PUD or not, keep it all the same variance process for all street design standards.
- (5) Vertical Curvature – Recommend allowing an algebraic difference of 4 at stop controlled intersections without a vertical curve being required. This allows for a standard ADA compliant street (2% pedestrian cross-slope at intersection) to intersect a standard road with 2% crown and not require a vertical curve. Flattening out these areas with vertical curves at intersections can lead to areas that do not drain well and tend to form birdbaths.
- (8) Intersection Design – Recommend referencing standards for the measurement of intersection site distance and stopping sight distance.

#### 3.8.1.20 – Minimum Pavement Design Standards and Testing

- Has a geotechnical engineer that typically designs pavement sections reviewed this table?
- Recommend listing the minimum thickness of Type D asphalt.
- Recommend listing the minimum thickness for Concrete Paving, minimum compressive strength, and reinforcement requirements.
- “Concrete Density” is a confusing term for the table. I assume 7” is the thickness.

#### 3.8.2.7

- What configurations are acceptable ways to break up block length? Knuckle sac, traffic calming island, t-intersection, pedestrian path, others?

#### 3.8.2.8

- The city should look to protect the block length in the horseshoe (P2.5), but allow longer blocks elsewhere. A max length of 330 ft will drive up development and maintenance costs. The city struggles to keep up with the infrastructure that they have today. We should not write a code that will leave the city with a higher ratio of infrastructure per residential house to maintain. Recommend allowing somewhere around 660'-720' ft for streets with houses fronting and up to 1200 ft where no houses front.

#### 3.8.3 - Lots

- 3.8.3.2 - Recommend that lots are only allowed to front on public right of way or an irrevocable ingress/egress easement.
- 3.8.3.3 – Recommend removing this. Corner lots front on two sides by default. A commercial lot may take up a whole block and front on all sides. If the intent is to speak to residential driveway placement, I recommend a statement in the section talking to driveways which limits each residential house to one driveway or something along those lines.
- 3.8.3.6 – Recommend removing this statement. Lots may need to be re-platted into a lesser number of lots to support development. This does not default to resulting in less density. However, if someone wants to re-plat two lots into one and build a house in the middle, that should be allowed.

- 3.8.3.7 – Recommend removing this statement as well. This is hard to enforce beyond a personal preference and it isn't beneficial as something to control development patterns. Lots need to have flexibility to work with things like street geometry, large trees that someone wants to preserve, or even drainage/topography.

#### 3.8.4.1 – General Requirements

- (2) – what if a personal landowner wants to clean up a piece of property to increase marketability or even for the use of the land? Recommend clarifying that construction activities related to a building permit or public improvement plans shall not be allowed until a preliminary plat has been approved by the city.

#### 3.8.4.2 – Required Drainage Study

- (a) and (b) – the second item (b) is likely more accurate than (a). A development will have design survey for the site, so providing accurate topo and watersheds should not be an issue. Recommend removing (a) and changing (b) to require 1-foot contours instead of 2-foot.

#### 3.8.4.4 – Drainage System Design Standards

- (3) – *“Rainfall intensities shall be obtained from the following table.”* – table missing?
- (6) – Does this not allow for on-grade drainage inlets then? Those do not capture 100% of flows but do serve a purpose. I recommend allowing those for sites with a lot of topo.
- (7) – Missing table for minimum freeboard?
- (8) – Missing table for channel lining scour protection?
- (9)(b) – recommend 6” thick minimum concrete
- (9)(d) & (e) – duplicate statement

#### 3.8.4.17 – Survey Requirements

- Surveyors will set lot pins as part of the platting process and homebuilding will re-stake/verify prior to home construction. Recommend removing the requirement for iron pipe and just state that the lots shall be pinned.

#### 3.8.4.19 - Cost of Distribution for Oversizing Facilities

- The planning and zoning commission is not qualified to plan or require oversized infrastructure with development. The city should have a master plan for these items. This to include but not be limited to the Major Thoroughfare Plan, Master Sewer Plan (used for impact fee calculations and planning), and Master Water Plan (used for impact fee calculations and planning). Recommend revising text to state the City of Castroville as the deciding party, but also based off adopted master plans.

#### 3.8.4.20 – Minimum Sizes for Over-sizing Calculations

- The title for Table 3.8.4 (D) is incorrect.

#### 3.8.4.21 – Water and Sewer Main Extension Reimbursements

- Spelling error in section title



- This reimbursement program seems like it could create a complicated accounting mess for the city. Recommend dealing with impact fee credits in lieu of long-term reimbursement from money collected from future developers.
- I also recommend that Capital Improvement Projects listed on the city's master sewer and master water plans be what is considered for impact fee credit eligibility.
- If the city wants to require oversizing a development's main extension to support system capacity or setup future services, then the city should consider paying the pro-rata share of the oversizing or possibly just providing materials for the construction. This is how the San Antonio Water System handles developments.
- The city has created a utility service agreement process for development agreements, but I think they should also consider that for regular developments of a certain size/# of phases going forward. Any big infrastructure costs need to be agreed to at the beginning of the development process and not after the developer has started design.

#### 3.8.5.3 – Civic Spaces Including Playgrounds

- Recommend clarifying who will own and maintain civic spaces.

#### 3.8.5.4 – School Sites

- Recommend involving the school district early on, especially for ETJ developments. The way I understand it, if there is no place-type land use requirements in the ETJ, then a developer can propose one big subdivision. Depending on the size and location, that subdivision may warrant at least an elementary school.

#### 3.8.5.5 – Civic Buildings

- I recommend removing this section. Civic spaces can be created through small parks and amenities. The Civic Building requirements forces land use and structures that may be in the wrong location to develop or support businesses.
- Could we just have an up-front discussion with the developer/school district/city during the pre-application meeting to discuss city and school needs for sites?
- If the Civic Building site requirement is kept, this section needs clarification on who will own these lots, who will pay to construct the buildings, and who will be responsible for maintenance.

#### 4.1.2 – Zoning Map Designations

- (8) – since the city is currently only able to voluntarily annex property, shouldn't we state that newly annexed territory will be classified as P2 Rural OR classified per the annexation agreement?

#### 4.2 - Place Type Zoning Districts

- 4.2.3.1 P1 Nature – I recommend we just state this area is the current regulatory (FEMA) 100-year floodplain. We could possibly also include a 50ft buffer from the regulatory floodplain to maintain vegetation and natural filtration of stormwater runoff. Future flood studies, updates to rainfall intensities (ATLAS 14 for example), or even CLOMR/LOMR flood studies could change what is mapped today. That would automatically create a conflict between the overlay delineation on the map vs effective floodplain areas.

#### 4.3 – Place Type Zoning District Development Standards

- The max block length of 330' is very short for today's standards. I understand it matches existing Castroville, but I worry that it will not only drive up development costs, but also create an amount of infrastructure that can not be supported by the residential tax base that it serves. A longer block decreases infrastructure, decreases maintenance costs, and increases the number of lots that could be developed. I recommend we increase this number to 660' (double it) which would result in the benefits listed but still create a grid system that is similar to what we have today. If the number stays the same, I recommend the city look at an economic analysis of this decision.
- (Lots) – Lot Coverage (Maximum) – I have not heard consistent feedback on this item. I recommend removing this restriction.

#### 5.4.5 Drive-Through Facilities

- 5.4.5.1 - If we are wanting to support neighborhood commercial business, then we need to allow drive-thru facilities near residential land use.

#### 5.4.6 Driveways

- 5.4.6.1 – driveway cuts will need to be allowed on all classifications of roads. I recommend implementing a minimum driveway separation distance instead of saying none. Commercial businesses need convenient driveway access to be successful.